

**CLERMONT COUNTY PLANNING COMMISSION
SECOND REGULAR MEETING
February 27, 2007**

The Second Regular Meeting of the Clermont County Planning Commission was held on Tuesday, February 27, 2007 at 5:00 p.m. in the Engineering/Planning Conference Room. Members present were Ms. Potter, Ms. Rochford and Messrs. Hoffman (arrived at 5:15 p.m.), Maham, Rouster, Schultz, Thomson, and Vandlandingham.

APPROVAL OF MINUTES:

Chairman Maham asked if there were any questions, additions or corrections to the January Minutes that had been mailed to the members prior to the meeting. A motion to approve the January Meeting Minutes was made by Mr. Thomson, seconded by Mr. Vanlandingham, and carried unanimously.

Nominating Committee Report/Election of 2007 Officers

On behalf of the nominating committee, Mr. Turton reported the recommendation that Mr. Maham continue as Chairman, Mr. Turton continue as Vice Chairman, and Mr. Schultz continue as Secretary for the period of April 1, 2007 through March 31, 2008. Mr. Vanlandingham moved to close the nominations, seconded by Ms. Rochford and carried unanimously. Mr. Thomson moved that the slate of nominations be approved, seconded by Ms. Rochford, and carried unanimously.

March 14, 2007 Work Session

Mr. Hershner announced that the March work session will be held on March 14, 2007 at 5:00 p.m.

April 17, 2007 Work Session

Mr. Hershner announced that the April work session will be held on April 17, 2007. David Spinney, County Administrator will be present to discuss plans for the SR 32 Corridor.

May 9, 2007 Work Session

Mr. Hershner announced that the May work session will be a tour of the mining site on SR 276 in Jackson Township.

Conservation Development Workshop

Mr. Hershner announced that Christopher Knoop, Pierce Township Trustee and former Planning Commission member had requested his assistance in putting together a Conservation Development Workshop. The presenter at the workshop will be Randall Arendt. The tentative date for the workshop is May 10, 2007 from 4:00 p.m. until 9:00 p.m.

Appointment to Ohio Kentucky Indiana (OKI) Regional Council of Governments Board of Trustees for 2007

Due to Louis Ethridge's departure from employment with Clermont County, Chairman Maham proposed that Mr. Schultz replace him as the appointed designated representative for the Clermont County Planning Commission on the OKI Regional Council of Government's Board of Trustees for 2007. Mr. Hoffman moved that Mr. Schultz replace Mr. Ethridge as the Planning Commission's representative on the OKI Regional Council of Government's Board of Trustees for 2007, seconded by Mr. Freeman, and carried unanimously.

STAFF REPORT ON ZONING CASES

Batavia Twp. Zoning Case B-02-07Z

Leigh Kellerman

5:05 p.m.

Mr. Hershner presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

No one spoke regarding this case.

Following short discussion, Ms. Rochford moved that the Planning Commission recommend to Batavia Township **approval** of Batavia Township Zoning Case B-02-07Z, per staff's recommendation as follows, seconded by Mr. Vanlandingham, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission recommend **APPROVAL** to Batavia Township of the request to rezone a 3.881 acre parcel from "A" Agriculture District to "E-R" Estate Residential District based on the following Staff Findings:

STAFF FINDINGS:

1. The proposed zoning is consistent with the recommendations of the Batavia Township Growth Management Plan 2004.
2. The anticipated use is consistent with the general purpose, intent, and other applicable regulations of the "E-R" Estate Residential District regulations governing residential development in areas of Batavia Township, as approved by the Township Trustees.
3. That the proposed zoning map amendment does not represent a direct threat to the public health, safety, or general welfare.

RECOMMENDED CONDITIONS:

Not Applicable.

Miami Twp. Zoning Case 516

MV Communities Land

5:10 p.m.

Mr. Hershner presented the Staff Report for this zoning request. Staff's recommendation was for denial of the proposed request for reasons stated in the staff report.

Larry Fronk, Miami Township Community Development Director, stated that he agreed that straight B-1 zoning would not be appropriate for this site.

Tom Simon, Miller Valentine Group, was present for this case. He stated that they would have requested a planned development overlay district had it been available.

Following discussion, Mr. Hoffman moved that the Planning Commission recommend to Miami Township **denial** of Miami Township Zoning Case 516, per staff's recommendation as follows, seconded by Mr. Vanlandingham, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission recommend **DENIAL** to Miami Township of the request to rezone the property at 5577 Wolfpen Pleasant Hill Road from "O-1" Professional Office and "B-1" Neighborhood Business Districts to strictly "B-1" Neighborhood Business District based on the following Staff Findings and Additional Recommendation(s) for Modification:

STAFF FINDINGS:

1. "B-1" Neighborhood Business District permits a variety of commercial land uses well beyond the convalescent home facility proposed and which may negatively impact the adjacent residential community.
2. The proposed Convalescent Home Facility is subject to a conditional use permit, requiring a subsequent application and hearing before the Township Board of Zoning Appeals.
3. Comments have been received requiring further review on whether the proposed use is feasible.
4. The Miami Township Growth Management Plan does not support "B-1" Neighborhood Business zoning on the southwest quadrant of By-Pass 28 and Wolfpen-Pleasant Hill Road interchange.

RECOMMENDED CONDITIONS:

The Planning Staff recommends the following conditions if the property owner / applicant elects to revise the application to include a Planned Business Development Overlay District:

1. Compliance with Section 19.01 subsection B., Planned Business Development Overlay District of the Miami Township Zoning Resolution.

Monroe Twp. Zoning Case ZC-2007-01

Kimberly L. Carter-

Simon

5:25 p.m.

Mr. Hershner presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

Dani Speigel, Monroe Township Zoning Administrator, was present for this case and stated that she was in support of the proposal.

Following short discussion, Mr. Thomson moved that the Planning Commission recommend to Monroe Township **approval** of Monroe Township Zoning Case ZC-2007-01, per staff's recommendation as follows, seconded by Mr. Vanlandingham, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission recommend **APPROVAL** to Monroe Township of the request to rezone two parcels from "A" Agricultural District to "B-2" General Business District based on the following staff findings:

STAFF FINDINGS:

1. The proposed zone change to "B-2" General Business District is consistent with adjacent zoning.
2. The current use is consistent with the general purpose, intent, and other applicable regulations of the "B-2" General Business District regulations governing commercial development in areas of Monroe Township, as approved by the Township Trustees.
3. That the proposed zoning map amendment does not represent a direct threat to the public health, safety, or general welfare.

RECOMMENDED CONDITIONS:

Not Applicable.

Monroe Twp. Zoning Case ZC-2007-02

William B. Lynn

5:35 p.m.

Mr. Hershner presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

William Lynn, Applicant, was present for this case.

Following short discussion, Ms. Rochford moved that the Planning Commission recommend to Monroe Township **approval** of Monroe Township Zoning Case ZC-2007-02, per staff's recommendation as follows, seconded by Mr. Schultz, and carried unanimously.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission recommend **APPROVAL** to Monroe Township of the request to rezone two parcels from "A" Agricultural District to "B-2" General Business District based on the following Staff Findings and Additional Recommendation(s) for Modification:

STAFF FINDINGS:

1. The proposed zone change to “B-2” General Business District is consistent with adjacent zoning.
2. The anticipated use is consistent with the general purpose, intent, and other applicable regulations of the “B-2” General Business District regulations governing commercial development in areas of Monroe Township, as approved by the Township Trustees.
3. That the proposed zoning map amendment does not represent a direct threat to the public health, safety, or general welfare.

RECOMMENDED CONDITIONS:

Not Applicable.

STAFF REPORT ON ZONING TEXT CASES

Franklin Twp. Zoning Case

Franklin Township

5:40 p.m.

Mr. Hershner presented the Staff Report for this zoning request. Staff’s recommendation was for approval of the proposed request.

No one was present for this case.

Following discussion, Mr. Hoffman moved that the Planning Commission recommend to Franklin Township **approval** of this Franklin Township Zoning Case, per staff’s recommendation as follows, and incorporating two additional comments (in bold under additional recommendations), seconded by Ms. Rochford, and carried unanimously.

STAFF FINDINGS:

The proposed text amendment is nearly identical to Article 36, Planned Development district of the Batavia Township Zoning Resolution. Upon review, staff provides the following comments and recommendations:

1. **Section B.2.** fourth line, change “Section 1300” to “Article 13;” fifth line “Provisions have been met.” should be removed.
2. **Section C. Uses Permitted** commercial uses have been deleted from the list of permitted uses, suggesting the proposed uses in this Franklin Township Planned Development district to be residential, public or quasi-public. If business and office uses are intended to be excluded, then reference of commercial uses in this paragraph and throughout Article 13 should be removed.
3. **Section D.** the words “Recommended” and “shall” conflict. One or the other should be removed for clarity of interpretation whether this is simply a recommendation or a strict requirement.

4. **Section E.1.** fourth line, change “Section 13” to “Article 13. H.”
5. **Section E.5.** fifth line, change “D” in the word development to a lower case “d.”
6. **Section G.** fourth line, insert “Section” before “H” and remove “of this section”.
7. **Section I.** second paragraph, last line, the percentage of matching funds to the bond has been changed from the Batavia Township text of 75% to the Franklin Township text of 100%.
8. **Section L.8.j. Minimum Lot Sizes, Setbacks, Building Line Widths, Dwelling Square Footages and maximum recommended Density Levels:**
Under subsection j. i.-iii., standards have been added explaining regulations for landscaping/screening.
9. **Section M.** last line, insert “are” after the word “that.”
10. **Section O. Street Design:** paragraphs 5 and 6 regarding access management standards have been added.
11. **Section P.2.** sixth line, change “Section 13 – U” to “Article 13.U.”
12. **Section Q.2.b.6.** compliance with an adopted growth management plan (GMP) has been deleted since Franklin Township does not have a GMP.
13. **Section S.1.d.** first line, change “Sketched” to “Sketches.”
14. **Section U.2.** fifth line, change “B” in the word “Be” to “b.”
15. **Section U.4.** twelfth line, change “Section 13 Q” to “Article 13.Q.”
16. **Section U.6.** ninth line, change “Section 13 P.2” to “Article 13.P.2.”
17. **Section W.1.** eighth line, change “Section 13 P.1” to “Article 13.P.1.”
18. **Section W.2.** fourth line, change “Section 13 P.2” to “Article 13.P.2.”

STAFF CONCLUSIONS:

The proposed amendments to the Franklin Township Zoning Resolution will result in an improved set of development guidelines and regulations. Further consideration should be given for the inclusion of commercial uses. The proposed text amendments do not generally conflict with the provisions established in Section 519.02 of the Ohio Revised Code relative to Township Zoning Authority and are consistent with actions meant to protect and preserve the public health and safety.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Clermont County Planning Commission recommend **APPROVAL** of the proposed text amendments to the Franklin Township Zoning Resolution, as initiated by the Franklin Township Zoning Commission and subject to revisions as listed above under Staff Findings.

ADDITIONAL RECOMMENDATIONS:

L.1. Change first sentence to read – “Each lot intended for a single family detached dwelling is recommended to have a minimum area of 10,000 square feet and a recommended minimum width at the building line of 75 feet.”

L.1.b. Change to – Minimum side yard of 5 feet and a minimum separation between buildings of 15 feet.

COMMITTEE REPORTS

There were no reports at this time.

EXECUTIVE SESSION

Chairman Maham recessed the meeting to go into Executive Session at 6:07 p.m. pursuant to section 121.22 of the Ohio Revised Code regarding pending litigation matter.

The Executive Session concluded at 6:22 p.m. and the Regular Meeting resumed with no action taken.

As there was no further business brought before the Planning Commission, the meeting was adjourned.

Roger J. Maham, Chairman

Tim L. Turton, Vice Chairman